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Federal Public Defender  
2 Nevada State Bar No. 11479  
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6 Attorney for Clayton Mark Hall

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 CLAYTON MARK HALL,

13 Defendant.

Case No. 2:19-mj-00744-BNW

**STIPULATION THAT  
DEFENDANT HAS COMPLIED  
WITH HIS PLEA AGREEMENT  
AND TO CLOSE CASE<sup>1</sup>**

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15 IT IS HEREBY STIPULATED AND AGREED, by and between United States  
16 Attorney Nicholas A. Trutanich and Special Assistant United States Attorney Rachel L. Kent,  
17 counsel for the United States of America, and Federal Public Defender Rene L. Valladares  
18 and Assistant Federal Defender Sylvia Irvin, counsel for Clayton Mark Hall, that Mr. Hall has  
19 complied with the terms of his plea agreement, that he be allowed to enter a plea of guilty to  
20 an amended count of negligent operation of a vessel, and that his case be closed.

21 This Stipulation is entered into for the following reasons:  
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25 <sup>1</sup> This stipulation is filed out of time and defense counsel respectfully asks the Court to  
26 accept the late-filing. On January 30, 2020, this Court ordered that counsel file a status report  
as to Mr. Hall's compliance by July 15, 2020. Through no fault of Mr. Hall, a status report was  
not filed although he had complied with his plea agreement terms as explained more fully in  
this filing.

1           1.       Mr. Hall was charged by complaint with three counts, including operating a  
2 vessel while under the influence of alcohol in violation of 36 CFR § 3.10(a)(1), a Class B  
3 misdemeanor (Count One). ECF No. 1.

4           2.       On January 15, 2019, Mr. Hall pled guilty to Count One pursuant to a plea  
5 agreement with the Government. *See* ECF No. 12 (minute order). In accordance with that plea  
6 agreement, this Court sentenced Mr. Hall to 12 months' unsupervised probation with the  
7 following special conditions:

- 8                   a.   complete DUI School with the Victim Impact Panel;
- 9                   b.   complete a NASBLA Boating Safety Course;
- 10                  c.   pay fines of \$510.00;
- 11                  d.   be restricted from the Lake Mead National Recreation area for 6 months
- 12                  e.   complete 64 hours of community service; and
- 13                  f.   have no adverse contact with law enforcement.

14       *See id.*

15           3.       In exchange for his plea of guilty, the Government agreed to dismiss all  
16 remaining counts and further agreed that should Mr. Hall complete all of the sentencing  
17 obligations within six months of sentencing, the Court would permit Mr. Hall to withdraw his  
18 previously entered guilty plea and to enter a guilty plea to an Amended Complaint of one  
19 count of negligent operation of a vessel. *See id.*

20           4.       Mr. Hall successfully completed all but one of his special conditions within the  
21 six-month time period, and defense counsel provided that documentation to Government  
22 counsel via email. Mr. Hall was able to complete 17 hours of community service but was not  
23 able to complete all of his hours due to the Covid-19 pandemic. He had been volunteering at  
24 Three Square Food Bank until they were no longer able to accept volunteers. In light of the  
25 unusual circumstance of the Covid-19 pandemic, Government counsel has agreed that Mr.  
26 Hall has completed this special condition.

1           5.       The Government is satisfied that Mr. Hall complied with the terms of his plea  
2 agreement and that he be permitted to have his guilty plea converted to an amended count of  
3 negligent operation of a vessel.

4           6.       Because Mr. Hall has successfully completed the terms of his plea agreement,  
5 both counsel ask the Court to close Mr. Hall's case.

6           DATED this 14th day of October, 2020.

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8       RENE L. VALLADARES  
Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

9       By Sylvia A. Irvin

By Rachel L. Kent

10       SYLVIA IRVIN  
11       Assistant Federal Public Defender

RACHEL L. KENT  
Special Assistant United States Attorney

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,

v.

CLAYTON MARK HALL,  
Defendants.

Case No. 2:19-mj-00744-BNW

**ORDER**

Based on the Stipulation of counsel and good cause appearing,

IT IS THEREFORE ORDERED:

1. The defendant's guilty plea is converted to an amended count of negligent operation of a vessel; and
2. In light of the defendant successfully completing the terms of his plea agreement, the defendant's case is closed.

DATED this 16th day of October, 2020.



UNITED STATES MAGISTRATE JUDGE